

REMARKS

Claims 1-4, 9, 10, and 21-23 are pending. Claims 1 and 21-23 has been amended to recite that the pay table modification is the winning of a progressive, secondary pot. Claim 16 has been canceled. No new matter has been added.

Applicants respectfully traverse the rejections contained in the Office Action in their entirety. However, in an effort to expedite allowance of the instant claims, Applicants have amended independent claims 1 and 21-23 to recite a pay table modification that includes the winning of a progressive, secondary pot, which had previously been recited in claim 16. In rejecting claim 16, the Examiner argued that the claim was unpatentable over Charron, U.S. Patent No. 5,542,669 in view of Vancura, U.S. Patent No. 6,517,073. The Examiner argued that Vancura and Charron are analogous. However, as the Examiner points out in the Office Action, "The side game of Vancura discloses that you can have an optional bet on a specific combination of black jack. For instance an all red suited blackjack. If you hit then you win the winnings of the blackjack and the side bet and an option to play an additional game". Vancura clearly discloses a game in which the player selects a "bonus" hand from a set of possible hands. By contrast, Charron discloses a game in which a computer or other system selects the "bonus" hand from a set of possible bonus hands. There is an important and fundamental distinction in the bonus hand selection approaches employed by Vancura and Charron, and one skilled in the art would not deem Vancura and Charron to be analogous art. Thus, one skilled in the art would not be motivated to combine Vancura and Charron in the manner suggested by the Examiner.

CONCLUSION

Having responded to all objections and rejections, it is respectfully submitted that the application is in condition for allowance and Notice to that effect is solicited. Should the Examiner determine that any further action is necessary to place this application into better form for allowance, the Examiner is encouraged to telephone the undersigned representative at the number listed below. No further fees are believed due. However, if there are any fees due, please charge the same to our Deposit Account No. 50-0653 and reference the attorney docket number above.

Respectfully submitted,

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Greenberg Traurig, LLP
1750 Tysons Blvd, 12th Floor
McLean, Virginia 22102
703-749-1300

By: 

James E. Goepel
Registration Number 50,851

JEG:prm